

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

WILLIAM HOLBERT, *et al.*, : Case No. 3:12-cv-347

Plaintiffs, :

vs. : District Judge Timothy S. Black
Magistrate Judge Michael J. Newman

KNIGHT TRANSPORTATION, *et al.*,

Defendants. :

**ORDER DENYING DEFENDANTS' MOTION TO BIFURCATE (DOC. 14)
WITHOUT PREJUDICE TO RE-FILE**

This matter is now before the Court upon Defendants' motion to bifurcate Plaintiffs' punitive damages claim from the issues of liability and compensatory damages. The motion has been fully briefed by the parties. *See* doc. 14 (Defendants' motion), doc. 15 (Plaintiffs' memorandum in opposition), doc. 16 (Defendants' reply). Defendants do not request bifurcation for purposes of discovery, but only for trial. The Court finds that, at this early juncture of the litigation, Defendants' motion is premature.¹ Such a motion is more appropriately raised at the final pretrial conference or at another time following a ruling on summary judgment. Accordingly, the motion is **DENIED WITHOUT PREJUDICE** to re-file.

IT IS SO ORDERED.

June 17, 2013

s/ **Michael J. Newman**
United States Magistrate Judge

¹ The discovery deadline in this case is February 7, 2014; and trial is scheduled to begin on July 14, 2014. *See* doc. 9.